

02-27-06

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PTO/SB/21 (09-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | |
|------------------------|--------------------|
| Application Number | 10/708,483 |
| Filing Date | March 5, 2004 |
| First Named Inventor | Matthew T. Starr |
| Art Unit | 2652 |
| Examiner Name | Jefferson A. Evans |
| Attorney Docket Number | 1046_037 |

Total Number of Pages in This Submission 463

ENCLOSURES (check all that apply)

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): References BI - BK (456 pages); Return Mailroom Postcard; Certificate of Express Mailing; and our check in the amount of \$180.00. |
|---|--|---|

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account No. 50-0289.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|-------------------------|---|-----------------|
| Firm or Individual name | Wall Marjama & Bilinski LLP Indranil Mukerji | Reg. No. 46,944 |
| Signature | | |
| Date | February 24, 2006 | |

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I hereby certify that this correspondence is being deposited with the United States Postal Service using the Express Mail Post Office To Addressee service per 37 CFR 1.10 under Express Mail No. EV678064742US addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 24, 2006.

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| Typed or printed name | Cynthia Losurdo | Date | February 24, 2006 |
| Signature | | | |

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2006**Complete if Known**

| | |
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| Application Number | 10/708,483 |
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| Examiner Name | Jefferson A. Evans |
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| Attorney Docket No. | 1046_037 |

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$180.00

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METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 50-0289 Deposit Account Name: Wall Marjama & Bilinski LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|---|----------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |
| Total Claims | | |
| - 20 or HP = | x | = |
| HP= highest paid number of total claims paid for, if greater than 20 | | |
| Indep. Claims | | |
| - 3 or HP = | x | = |
| HP = highest number of independent claims paid for, if greater than 3 | | |

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a) (1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | / 50 = | (round up to a whole number) x | = | |

4. OTHER FEES

| | Fees Paid (\$) |
|--|----------------|
| Non-English Specification, \$130 fee (no small entity discount) | |
| Other (e.g., late filing surcharge): Submission of Information Disclosure Statement - Fee Code 1806 37 CFR 1.17(p) | \$180.00 |

SUBMITTED BY

| | | |
|-------------------|---|------------------------|
| Signature | Registration No. 46,944 (Attorney/Agent) | Telephone 315-425-9000 |
| Name (Print/Type) | Indranil Mukerji | Date February 24, 2006 |

Attorney Docket No.: 1046_037

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Matthew T. Starr; Jennifer L. Woodruff; Clark D. Brace; Peter J. Kumpon; and Karl M. Armagost

Serial No.: 10/708,483

Art Unit: 2652

Filed: March 5, 2004

Examiner: Jefferson A. Evans

Title: DATA CARTRIDGE LIBRARY

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Cynthia Losurdo
Cynthia Losurdo

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. § 1.56 and M.P.E.P. § 2001.06(b), Applicant submits the following Information Disclosure Statement, and directs the attention of the United States Patent and Trademark Office to the commonly owned co-pending applications (including art cited therein) listed on the attached Form PTO/SB/08A. Copies of references BI – BK are enclosed.

The information is presented so that the U.S. Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. See 37 C.F.R. § 1.104(a) and § 1.105 (concerning the PTO duty to consider and use any such information). The listed application(s) may contain technical subject matter related to that of the present invention. This identification is not to be construed as a waiver of confidentiality or secrecy as to the cited application(s) now or upon issuance of the present application as a patent.

Applicant respectfully requests that the Examiner expressly consider the information disclosed herein during the prosecution of this application, that the Examiner initial the

corresponding box on the enclosed Form PTO/SB/08A.


This Information Disclosure Statement "shall not be construed as a representation that a search has been made." See 37 C.F.R. § 1.97(g). This Information Disclosure Statement "shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b)." See 37 C.F.R. § 1.97(h).

The present Information Disclosure Statement is being filed (1) more than three months from the application's filing date and (2) after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Office Action or Notice of Allowance 37 C.F.R. § 1.97(c) and therefore a fee under 37 C.F.R. § 1.17(p) is required. A check in the amount of \$180.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees associated with this submission, or credit any overpayment, to Deposit Account No. 50-0289.

Respectfully submitted,

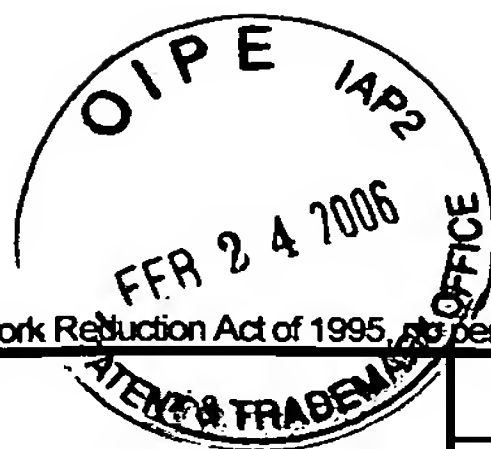
Dated: 2/22/06


Kenneth Altshuler
Reg. No. 50,551

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Customer No.: **20874**



PTO/SB/08A (07-05)

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STATEMENT BY APPLICANT**

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Complete if Known

Application Number

10/708,483

Filing Date

March 5, 2004

First Named Inventor

Matthew T. Starr

Art Unit

2652

Examiner Name

Jefferson A. Evans

Attorney Docket Number

1046_037

1U.S. PATENT DOCUMENTS

| Examiner | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|----------|-----------------------|--|--------------------------------|--|---|
| | | Number Kind Code ² (if known) | | | |
| | AA | US Patent Application No. 10/950,613 | | Starr et al. | |
| | AB | US Patent Application No. 10/951,321 | | Wong | |
| | AC | US Patent Application No. 10/980,594 | | Fenske et al. | |
| | AD | US Patent Application No. 11/011,812 | | Starr et al. | |
| | AE | US Patent Application No. 11/019,911 | | Curtis et al. | |
| | AF | US Patent Application No. 11/037,985 | | Permut et al. | |
| | AG | US Patent Application No. 11/040,937 | | Starr et al. | |
| | AH | US Patent Application No. 11/089,749 | | | |
| | AI | US Publication No. US 2005-0219964 A1 | 10-06-2005 | Pollard et al. | |
| | AJ | US Publication No. US 2005-0185323 A1 | 08-25-2005 | Brace et al. | |
| | AK | US Publication No. US 2004-0105187 A1 | 06-03-2004 | Woodruff et al. | |
| | AL | US Publication No. US 2004-0223253 A1 | 11-11-2004 | Woodruff et al. | |
| | AM | US Publication No. US 2004-0264041 A1 | 12-30-2004 | Kumpon et al. | |
| | AN | US Publication No. US 2004-0264038 A1 | 12-30-2004 | Heineman et al. | |
| | AO | US Publication No. US 2004-0264039 A1 | 12-30-2004 | Armagost et al. | |
| | AP | US Publication No. US 2004-0264037 A1 | 12-30-2004 | Downey et al. | |
| | AQ | US Publication No. US 2005-0007692 A1 | 01-13-2005 | Thompson et al. | |
| | AR | US Publication No. US 2004-0264042 A1 | 12-30-2004 | Pollard et al. | |
| | AS | US Publication No. US 2004-0264040 A1 | 12-30-2004 | Armagost et al. | |
| | AT | US Publication No. US 2005-0065637 A1 | 03-24-2005 | Lantry et al. | |
| | AU | US Publication No. US 2005-0246484 A1 | 11-03-2005 | Lantry et al. | |
| | AV | US Publication No. US 2005-0267627 A1 | 12-01-2005 | Lantry et al. | |
| | AW | US Publication No. US 2005-0063089 A1 | 03-24-2005 | Starr et al. | |
| | AX | US Publication No. US 2005-0047258 A1 | 03-03-2005 | Starr et al. | |

Examiner
SignatureDate
Considered

¹ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ² Applicant's unique citation designation number (optional). ³ See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷ Applicant is to place a check mark here if English language Translation is attached.

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Art Unit

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Examiner Name

Jefferson A. Evans

Attorney Docket Number

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1U.S. PATENT DOCUMENTS

| Examiner | Cite No. ¹ | Document Number Number Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|----------|-----------------------|---|--------------------------------|--|---|
| | AY | US Publication No. US 2005-0057847 A1 | 03-17-2005 | Armagost et al. | |
| | AZ | US Publication No. US 2005-0195517 A1 | 09-08-2005 | Brace et al. | |
| | BA | US Publication No. US 2005-0195518 A1 | 09-08-2005 | Starr et al. | |
| | BB | US Publication No. US 2005-0195519 A1 | 09-08-2005 | Kumpon et al. | |
| | BC | US Patent Application No. 11/123,725 | | Rector et al. | |
| | BD | US Patent Application No. 11/126,025 | | Rector et al. | |
| | BE | US Patent Application No. 11/145,768 | | Downey et al. | |
| | BF | US Patent Application No. 11/230,146 | | Starr et al. | |
| | BG | US Patent Application No. 11/240,893 | | Starr et al. | |
| | BH | US Patent Application No. 11/264,920 | | Lantry et al. | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|-----------------------|--------------------------|---------------------------|---|--------------------------------------|--------------------------------|---|--|--------------------------|
| | | Country Code ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |
| | BI | | PCT Application No. US05/45168 | | | Spectra Logic Corporation | | <input type="checkbox"/> |
| | BJ | | PCT Application No. US05/46447 | | | Spectra Logic Corporation | | <input type="checkbox"/> |
| | BK | | International Publication No. WO 2005/010661 | A2 | 02-03-2005 | Spectra Logic Corporation | | <input type="checkbox"/> |
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